

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAR 13 2009 ★  
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
BROOKLYN DIVISION

Patricia Parker,  
Plaintiff,

v.

Capital Management Services, LP,  
Defendant.

Case No. 1:08-cv-03836-SLT-CLP

**NOTICE OF DISMISSAL  
WITH PREJUDICE**

Now comes Plaintiff, by and through counsel, and hereby dismisses the present action with prejudice pursuant to Fed. R. 41(a)(1)(A)(i). This notice is being filed before Defendant has served an answer and therefore is appropriate for dismissal absent stipulation by all parties.

RESPECTFULLY SUBMITTED,

Macey & Aleman, P.C.

By: /s/ Michelle Labayen  
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Attorney for Plaintiff

The application is  
**SO ORDERED.**

K granted.  
— denied.

s/ SLT

/ Sandra L. Townes, U.S.D.J.

Dated: March 12, 2009  
Brooklyn, New York

*The Clerk of Court is  
directed to close this  
case.*